

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 62,817 (70801)
INTERNATIONAL APPLICATION NO. PCT/JP2003/011230		INTERNATIONAL FILING DATE 3 September 2003
TITLE OF INVENTION OPTICAL RECORDING MEDIUM		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/526594
PRIORITY DATE CLAIMED 4 September 2002		
APPLICANT(S) FOR DO/EO/US Shinya Yoshida		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Form PCT/IB/304 (1 page); Form PCT/RO/101 (4 pages); Form PCT/ISA/210 (3 pages, including English language translation (3 pages) (totaling 6 pages); Certificate of Express Mailing (1 page); and a Return Receipt Postcard

0715 Rec'd PCT/PTO 04 MAR 2005

PTO-1390 (Rev. 12-2004)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) 107526594		INTERNATIONAL APPLICATION NO. PCT/JP2003/011230		ATTORNEY'S DOCKET NUMBER 62817(70801)	
21. The following fees are submitted:				Applicant Use	Office Use Only
<input checked="" type="checkbox"/>	a) Basic national fee		\$300.00	\$ 300.00	
<input checked="" type="checkbox"/>	b) Examination fee		\$200.00	\$ 200.00	
<input checked="" type="checkbox"/>	c) Search fee		\$500.00	\$ 500.00	
TOTAL OF ABOVE CALCULATIONS =			\$1000.00	\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
22 - 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	10 - 40 =		x	\$ 0.00	
Independent claims	1 - 6 =		x	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+	
TOTAL OF ABOVE CALCULATIONS				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$ 1,040.00	
Amount to be refunded:				\$	
Amount to be charged:				\$	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1105</u> in the amount of \$ <u>1,040.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					

07/11/2005 PROOKER 00000009 041105 10526594
 Sale Ref: 00000028 DAI: 041105 10526594
 01 FC:1642 400.00 DA
 EDWARDS & ANGELL, LLP
 P.O. Box 55874
 Boston, Massachusetts 02205
 (617) 439-4444
 CUSTOMER NUMBER: 21874

Adjustment Date: 07/11/2005 PROOKER 00000009 041105 10526594
 07/14/2005 PROOKER 00000009 041105 10526594
 02 FC:1632 500.00 PR
 SIGNATURE: George W. Hartnell, III
 NAME: _____
 42,639
 REGISTRATION NUMBER

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known Application Number Not Yet Assigned 10/526594 Filing Date Concurrently Herewith First Named Inventor Shinya Yoshida Examiner Name Not Yet Assigned Art Unit N/A Attorney Docket No. 62,817 (70801)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	1,040.00	

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>04-1105</u> Deposit Account Name: <u>Edwards & Angell, LLP</u>				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
10	- 40 =	x	=			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
1	- 6 =	x	=			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
22	- 100 =	/50	(round up to a whole number) x	=

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge):	
1631 Basic National Stage fee	300.00
1632 National Stage search fee	500.00
1633 National Stage examination fee	200.00
8021 National Stage recording each patent assignment, ...	40.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	42,639
Name (Print Type)	George W. Hartnell, III	Telephone	(617) 439-4444
		Date	March 4, 2005

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. **EV492338844US**, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March _____, 2005

Signature: (Lakeisha Bryant)

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 62817(70801)

Certificate of Express Mailing Under 37 CFR 1.10

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Signature

Lakeisha Bryant

Typed or printed name of person signing Certificate

Registration Number, if applicable(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pages), including duplicate copy thereof;
Copy of the International Published Application WO 2004/023467 A1 (18 pages);
English language translation of the International application (16 pages), including 12 Figures (6 pages) (totaling 22 pages);
Declaration and Power of Attorney (4 pages);
Form PTO/SB/08 (1 page);
Copy of IDS Citations (12 References);
Form PCT/IB/304 (1 page);
Form PCT/RO/101 (4 pages);
Form PCT/ISA/210 (3 pages), including English language translation (3 pages) (totaling 6 pages);
Charge \$1,040.00 to deposit account 04-1105; and a
Return Receipt Postcard.